

ENVIRONMENTAL Fact Sheet



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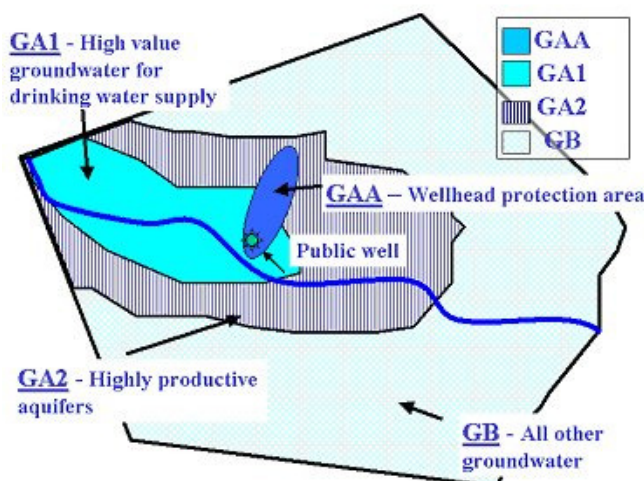
Groundwater Reclassification and How It Affects the Property Owner

What is groundwater reclassification?

Under New Hampshire state law (RSA 485-C) all groundwater is classified into one of four categories: GAA, GA1, GA2, and GB. (See Table 1) Typically, groundwater reclassification involves designating an area for a higher level of protection because it contributes groundwater to a public water system or represents an area of high value groundwater for present or future water supply. Reclassification is initiated by a local entity (usually a municipality or public water supplier), but can also be initiated by DES. The primary benefit of reclassification is increased safety of water supply wells by limiting six high risk land uses and/or instituting local inspection of potential contamination sources within the area that has been reclassified.

Table 1 Groundwater Classifications	
Class	Description
GAA	<ul style="list-style-type: none"> • Delineated Wellhead Protection Areas • Prohibits new and monitors existing high risk uses (e.g. landfills) • Authorizes active management on local level
GA1	<ul style="list-style-type: none"> • Groundwater of high value for present or future drinking water • No land use prohibitions • Authorizes active management on local level
GA2	<ul style="list-style-type: none"> • Potentially valuable stratified drift aquifers defined by USGS • No land use prohibitions • No active management
GB	<ul style="list-style-type: none"> • All groundwater not assigned to a higher class • No land use prohibitions • No active management

Figure 1
Example of Groundwater Reclassification Zones



What is the local role?

A local entity begins the process by submitting an application to DES for reclassification of an area to GAA or GA1 from a classification that offers less protection, i.e. GA2 or GB. In order to have

the request granted, the local entity must identify the area to be reclassified, prepare an inventory of potential contamination sources, which are facilities that use, store, or handle regulated substances in greater-than-household quantities, and develop a program to manage and educate potential contamination sources in the area.

What is the state's role?

DES assists local entities in preparing reclassification requests and then determines whether the application is complete and in compliance with applicable laws and regulations, specifically the Groundwater Protection Act (RSA 485-C) and Administrative Rules Env-DW-901, the groundwater reclassification rules. After the reclassification application is found to be complete, DES holds a public hearing to hear comments on the reclassification request before a recommendation is made to the Commissioner of DES for approval or disapproval. Once the reclassification request has been approved, DES continues to assist the local entity in implementing its protection program.

How does the local entity manage potential contamination sources?

Management of potential contamination sources (PCSs) is accomplished primarily by educating PCS owners at least once every three years about proper handling of materials that can pose a threat to groundwater quality and public health. In addition, the local entity inspects PCSs (See Table 2) to make sure they are complying with best management practices (BMP) rules that address proper storage, handling, and disposal of regulated substances. The BMPs are defined

under State Administrative Rule Env-Wq 401.

Does reclassification mean more regulation? Does it limit what I can do on my property?

Land Use Restrictions: In wellhead protection areas reclassified to GAA, six high-risk land uses (hazardous waste disposal facilities, solid waste landfills, outdoor bulk storage of road salt, junkyards, snow dumps, and wastewater or septage lagoons) are prohibited, except for those facilities that already exist.

Monitoring Requirements: For any of the prohibited land uses (listed above) that already exist in a GAA area, monitoring groundwater is required. This is also required for any new solid waste composting or resource recovery facility.

Everywhere in New Hampshire, PCSs are required to comply with the rules for proper handling and storage of regulated substances. The difference is that in reclassified areas, there is more local and state scrutiny. *Homeowners and businesses that use small quantities of regulated substances are not affected by reclassification, other than benefiting from a safer water supply.* They are simply notified that they are in the reclassified area and provided with information on how to voluntarily prevent groundwater contamination.

Table 2 Potential Contamination Sources (PCSs) Subject to BMP Compliance Inspections
• Vehicle service and repair shops
• General service and repair shops
• Metalworking shops
• Manufacturing facilities
• Waste and scrap processing and storage
• Laboratories and certain professional offices (medical, dental, veterinary)
• Salt storage and use
• Cleaning services
• Food processing plants
• Fueling and maintenance of earth moving equipment
• Concrete, asphalt, and tar manufacture
• Hazardous waste facilities

Who has the authority to enforce the rules?

The local entity requesting reclassification has the lead role in enforcing the BMP rules. The enforcement process, which emphasizes periodic inspections of potential contamination, is designed to encourage compliance with the rules, rather than resort to fines. However, a PCS owner may be subject to fines and other enforcement action (state and local) if violations are not corrected following warnings and a reasonable opportunity to correct the situation. DES has the authority to enforce the rules statewide but concentrates on assisting local entities in developing and implementing groundwater protection programs.

For Additional Information

For more information on best management practices for groundwater protection visit the DES Drinking Water Source Protection webpage at www.des.nh.gov/dwspp, or call (603) 271-2947 or (603) 271-0688.

For additional information, please contact the Drinking Water and Groundwater Bureau at (603) 271-2513 or dwgbinfo@des.state.nh.us or visit our website at www.des.nh.gov/dwgb. All of the bureau's fact sheets are on-line at www.des.nh.gov/dwg.htm.

Note: This fact sheet is accurate as of January 2007. Statutory or regulatory changes, or the availability of additional information after this date may render this information inaccurate or incomplete.